### UNITED STATES DISTRICT COURT District of Maine

JUDITH L. JOHNSON,	)	
Plaintiff	)	
	)	
v.	)	
	)	Civil No. 05-202-P-S
THE UNIVERSITY OF MAINE	)	
SYSTEM,	)	
	)	
Defendant	)	
	)	

# ORDER AFFIRMING THE RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

The United States Magistrate Judge filed with the Court on September 25, 2006, his Recommended Decision (Docket No. 40). Plaintiff filed her Objection to the Recommended Decision (Docket No. 42) on October 12, 2006. Defendant filed its Response to Objection (Docket No. 43) on October 30, 2006.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a <u>de novo</u> determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

- 1. It is therefore <u>ORDERED</u> that the Recommended Decision of the Magistrate Judge (Docket No. 40) is hereby <u>AFFIRMED</u>.
- 2. For the reasons set forth in the Recommended Decision Defendant's Motion to Exclude a Portion of the Testimony of Mark Filler is <u>GRANTED</u> and its Motion for Summary Judgment (Docket No. 21) is <u>GRANTED</u>.

_/s/ George Z. Singal	
Chief U.S. District Judge	

Dated: November 2, 2006.

#### JUDITH L JOHNSON

#### represented by LEE H. BALS

MARCUS, CLEGG & MISTRETTA,

P.A.

100 MIDDLE STREET

EAST TOWER, 4TH FLOOR PORTLAND, ME 04101-4102

DAVID C. JOHNSON

MARCUS, CLEGG & MISTRETTA,

P.A.

100 MIDDLE STREET

EAST TOWER, 4TH FLOOR PORTLAND, ME 04101-4102

## UNIVERSITY OF MAINE SYSTEM

#### represented by PATRICIA A. PEARD

BERNSTEIN, SHUR 100 MIDDLE STREET

P.O. BOX 9729

PORTLAND, ME 04104-5029 **RONALD W. SCHNEIDER, JR.** 

BERNSTEIN, SHUR 100 MIDDLE STREET

P.O. BOX 9729

PORTLAND, ME 04104-5029